



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,006	11/20/2003	Henry C. Yuen	GIS-030 Cont 4 RE	3985
75563 7590 09/29/2009 ROPES & GRAY LLP PATENT DOCKETING 39/361 1211 AVENUE OF THE AMERICAS NEW YORK, NY 10036-8704				
EXAMINER				
HSIA, SHERRIE Y				
ART UNIT		PAPER NUMBER		
2622				
MAIL DATE		DELIVERY MODE		
09/29/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/720,006

Applicant(s)

YUEN ET AL.

Examiner

Sherrie Hsia

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-76 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-76 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/CDC)
- Paper No(s)/Mail Date ____.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Reissue Applications

1. Applicant is notified that any subsequent amendment to the specification and/or claims must comply with 37 CFR 1.173(b). In addition, when any substantive amendment is filed in the reissue application, which amendment otherwise places the reissue application in condition for allowance, a supplemental oath/declaration will be required. See MPEP § 1414.01.

2. The amendment filed 11/20/03 proposes amendments to 18-76 that do not comply with 37 CFR 1.173(b), which sets forth the manner of making amendments in reissue applications. A supplemental paper correctly amending the reissue application is required. For new claims 18-76, a parenthetical expression “new”, should follow the claim number.

3. The reissue oath/declaration filed with this application is defective (see 37 CFR 1.175 and MPEP § 1414) because of the following:

The declaration does not state that the person making the oath or declaration has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration as required by 37 CFR 1.63(b)(2).

4. Claims 1-76 are rejected as being based upon a defective reissue declaration under 35 U.S.C. 251 as set forth above. See 37 CFR 1.175.

The nature of the defect(s) in the declaration is set forth in the discussion above in this

Office action.

5. Claims 19, 20, 24-38, 40, 41, 44-57, 59, 60 and 63-76 are rejected under 35 U.S.C. 251 as being based upon new matter added to the patent for which reissue is sought. The added material which is not supported by the prior patent is as follows:

“the one or more ... comprise a first plurality of program content rating criteria” as claimed in claims 19, 40 and 59, “...override the blocking of a second plurality of the first plurality of program content rating criteria” as claimed in claim 20, “the processor ... to block ... one or more of a first plurality of user selected blocking criteria to the video display” and “said processor ... override a second plurality of user selected blocking criteria of the first plurality of user selected blocking criteria from being used to ... shut off” as claimed in claim 24, “the second plurality of user selected program blocking criteria ... blocking criteria” as claimed in claims 25, 45 and 64, “the processor .. override the blocking ... the second plurality of user selected blocking criteria ... code” as claimed in claim 31, “...to restore the blocking of the display of the television programs based on the overridden viewing restrictions” as claimed in claims 33, 52 and 71, “... to restore the blocking of the display ... the system being shut off” as claimed in claim 34, “...to restore the blocking of the display ... by pressing one or more predetermined button on control” as claimed in claim 35, “means for overriding ... the blocking of a second plurality of the first plurality of program content rating criteria” as claimed in claim 41, “means for blocking ... one or more of a first plurality of user selected blocking criteria” and “means for overriding ... a second plurality of user selected blocking criteria of the first plurality of user selected blocking criteria from being used to ... shut off” as claimed in claim 44, “the

means for overriding blocking ... the second plurality of user selected blocking criteria ... code" as claimed in claim 51, "...the restoration of the blocking of the display ... the system being shut off" as claimed in claim 53, "... restoration of the blocking of the display ... by pressing one or more predetermined button on a control" as claimed in claims 54 and 73, "the overriding ... blocking of a second plurality of the first plurality of program content rating criteria" as claimed in claim 60, "blocking ... one or more of a first plurality of user selected blocking criteria to the video display" and "overriding ... a second plurality of user selected blocking criteria of the first plurality of user selected blocking criteria from being used to ... programs" as claimed in claim 63, and "...the restoration of the blocking of the display ... by the shutting off of a system...programs" as claimed in claim 72 all are not disclosed in the patent. Therefore, they are considered as new matter.

Allowable Subject Matter

6. Claims 1-18, 21-23, 39, 42, 43, 58, 61 and 62 appear allowable over prior art.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherrie Hsia whose telephone number is (571) 272-7347.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372.

Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office whose telephone number is (571) 272-1000.

/Sherrie Hsia/
Primary Examiner
Art Unit 2622

SH
September 25, 2009